



DEPARTMENT OF PLANNING AND DEVELOPMENT

723 West Markham Street
Little Rock, Arkansas 72201-1334

Phone: (501) 371-4790 Fax: (501) 399-3435

STAFF REPORT
ITEM NO. Three.

DATE: *October 10, 2016*

APPLICANT: *Staff*

ADDRESS: *District Wide*

COA REQUEST: *Guidelines Revisions*

PROJECT BACKGROUND AND DESCRIPTION:

The City of Little Rock through the CLG program applied for and received a grant for the revision of the Guidelines concerning Infill Development. The Commission reviewed and edited the work submitted by the consultant. On June 3, 2016, Commissioner Jeremiah Russell submitted a new proposed version which then became the latest draft. The draft that is being reviewed at this time is substantially that version with some additions and modifications. Additional items that have been noted by Staff since the last revision have been added to the list to be reviewed by the Commission.

The Commission has had two presentations from Phil Walker (the Consultant hired via the grant) in public hearings on April 13 (Initial observations in Key Issues Report) and June 8, 2015 (presentation of the proposed text). In addition, the guidelines were discussed in additional public hearings on February 9, 2015 with discussion of topics to be included for revisions; May 11th, 2015 with discussion of the Key Issues Report; September 14, 2015 with discussion of the tour and individual changes to text; October 12, 2015 for suspension of discussion and tour dates; March 14, 2016 with Staff asking for all changes to be presented to Staff by March 31st; and May 9, 2016 with Commission Wilson wanting to add items to the review package.

Workshops for the commissioners were held on July 13, 2015, April 25, 2016, May 23, 2016, and July 18, 2016. The Commission also had a tour on February 24, 2016 of parts of the MacArthur Park, Governor's Mansion and South Main National Register Historic Districts with Ellen Harris, the director of Historic Savannah.

Please refer to the minutes of April 13 and June 8, 2015 for background information concerning citizen input and the discussion of the Key Issues Report. The minutes are available online at <http://web.littlerock.state.ar.us/weblink/Welcome.aspx?cr=1>

As suggested in the Key issue report, the Guidelines have been reorganized as follows: (Page numbers updated for September 2016 hearing)

Old section numbers	Old page numbers	Headings/subjects	New Section Numbers	New page numbers
I	6-8	Introduction and Overview of Historic Preservation and Design Guidelines	I	1-2
II	9-14	Historic Preservation in LR	II	3-6
IV	41-52	Treatment of original materials - residential	III	9
VIII	67-71	Treatment of original materials - Commercial and Mixed Use Structures	III	11-12
		Individual Building Elements - Residential	III	13-22
		Individual Building Elements – Commercial and Mixed Use	III	23-26
V	53-54	Design Guidelines for Additions and alterations	IV	27-32
V	55-56	New construction – residential	V	33-44
VIII	71	New construction - commercial	V	45-54
VII	65-66	Relocation/demolition	VI	58-59
VI	57-64	Site design	VII	60-67
III	15-40	Architectural styles	VIII	68-93
I	1-5	Legal and procedures	IX	94-99
IX	73-110	Appendices including state and local laws first	X	100-160

It is the goal of Staff to reshoot all photos in the Guidelines in color before publication.

There are minor edits that are being proposed by Staff to update the Guidelines. Some are typos and clarifications and some are substantive. They are described below. All page numbers refer to the draft dated August 17, 2016 that was published online on August 19, 2016.

On page iii, the acknowledgments page has been updated to include current members and acknowledgements.

On pages v-viii, the Table of Contents has been updated to reflect the new organization and content.

On page 1, Staff proposes to update the number of total districts in the city on the first page of the “Overview of Historic Preservation and Design Guidelines” from twelve to twenty-one and updated the location of the map of the MacArthur Park Historic District.

On page 27 under *Design Guidelines for Alterations and Additions*, the heading of the section is proposing to delete the words *And Detached New Construction*. The references to the Heiple Wiedower study from 2000 are proposed to be deleted. The Secretary of the Interior Standards is proposed to be deleted; they are shown at the top of the page. The word *Objective* in the last paragraph is proposed to be deleted from a format perspective.

On page 29-30, new text is being proposed; *Sustainable Technology*. This text covers solar panels and wind turbines.

On page 31-32, the existing language for New Construction of Primary and Secondary Buildings for Residential is proposed to be deleted. This is a major change to the Guidelines. The new text, located on pages 33-43 follows the design factors of the State law and City ordinance more closely. Those factors are listed on page 34. The texts in red are the last edits proposed. Some graphics are new. Page 43, the photos of new construction, is new. This only shows completed projects.

On page 45, the existing text for *New Construction of Commercial Structures* is proposed to be deleted. This is a major change to the Guidelines. The new text, located on pages 46-55 follows the design factors of the State law and City ordinance more closely. Those factors are listed on page 46. The texts in red are the last edits proposed. Some graphics are new. Page 55, the photos of new construction, is new. This only shows completed projects.

On page 56, the proposed Map of Contributing and Non-Contributing Structures is new.

On page 58, it is proposed to add to the language for the review of moving houses into the district. The language was very broad and vague and needed clarification. Also, the Department of Planning and Development is proposed to be corrected.

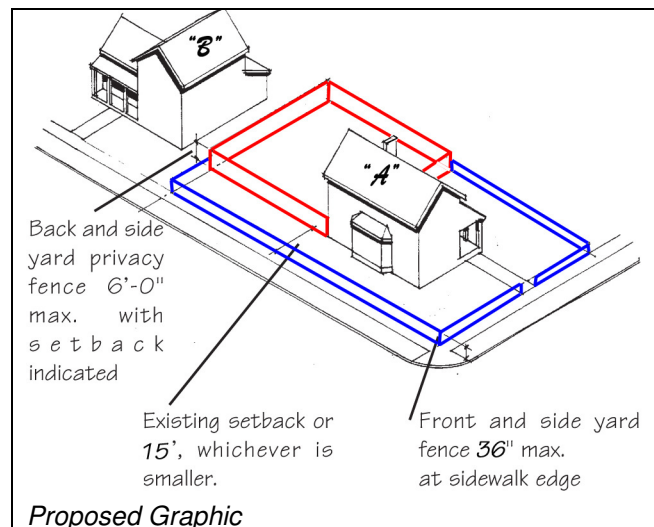
On page 60, text on the character of landscape elements is proposed to be added.

On page 61, there is text proposed to be changed on the height of fences.

When the backyard of a corner property "A" abuts the front yard of the adjacent property "B", and when property "A" installs a fence taller than 36" abutting the street, it may diminish the front yard of property "B". The zoning ordinance states that between a required building setback line and a street right-of-way, the maximum height shall be lower than other fences in the rear yard. The zoning ordinance would require the street facing privacy fence (greater than 4' tall) to be set back the distance of the side yard setback of 10% of the lot or 5 feet. Those five feet may differ from the actual setback of the primary structure. The HDC may be stricter than the zoning code, but cannot be less strict without the project having a public hearing with the Planning Commission or the Board of Adjustment.

The proposed language is below and the complete page is shown near the end of this document.

Fences in side and rear yards with street frontages should not impede views of adjacent houses that have a different orientation. For those fences, the location of the fences that are in excess of 36", as shown in red, should be the wall of the primary building or 15', whichever is less.



On page 63-64, the graphic for lighting are proposed to be moved to the *Design Guidelines for Rehabilitation – Residential* section since they depict lighting fixtures attached to a structure.

On page 66, under *Solar Collectors*, the text is proposed to be removed since it will be more fully described in the *Sustainable Technologies* sections.

On pages listing the *Architectural Styles*, pages 68-92, it is proposed to update the listings of individual houses based on the survey information provided by AHPP. Many photos have been updated with color photos.

On page 95, in the middle of the page under “This COA requirement does not apply to:” the following changes are proposed to be made. An additional condition was added the last time the Guidelines were edited, but the “or” was left between condition 2 and 3 instead of being moved to between condition 3 and 4. In this edit, additional text of “as defined by the zoning ordinance” was added to condition number 1.

On page 101, the map of all *National Register Historic Districts* is proposed to be updated. (The last district added was in 2013.)

On page 102 – 106, proposed changes are to update the numbers of structures and percentages on two districts and to add the listing for the Dunbar District.

On page 108, it is proposed to amend the number of districts from thirteen to twenty-one.

On guidelines page 109 in the “comparison of the National Register and Local Ordinance Historic Districts, there are two proposed changes. The words “patters of intake” should be “patterns of intact”. Also, state income tax credits needed to be added to the text.

On guidelines page 133, text has been changed to not require COAs for tuck-pointing of brick. It has also been changed on guidelines page 138 under the Maintenance appendix. This change was approved by the Commission on April 13, 2015.

On page 135, language is proposed to be added to the Artificial Siding Policy to clarify that this policy is for existing structures and not new construction.

After the item is approved, the document will be reformatted to remove all of the struck language. Some graphics will need to be repositioned to match with the accompanying text. Page numbers will change as a result.

NEIGHBORHOOD COMMENTS AND REACTION: At the time of distribution, there were no comments regarding this application.

During the April 13, 2015 hearing, speakers included Director Erma Hendrix, Rhea Roberts of the QQA, Lindsey Moore, Rebecca Pekar, and Stephanie Roberts.

During the June 8, 2015 hearing, speakers included Keith Canfield, Rhea Roberts of the QQA, Dale Pekar, Becky Pekar, John Bush, and Kathy Wells.

Since August 19, 2016, there have been 3 phone calls of a neutral nature and two emails with proposed text changes.

STAFF RECOMMENDATION: Forthcoming.

COMMISSION ACTION:

September 12, 2016

Brian Minyard, Staff, made a brief presentation of the changes to the text. He noted that a mailing was sent to all property owners for tonight’s meeting. He noted the six comments from

citizens for this meeting. Two of the comments, you have hard copies of the edits. Chair BJ Bowen stated that he wished to have citizen comments now and for the commissioners to take home the comments and review them for the next meeting.

Joe Stanley, architect, was on the CZDC for six years and is part of Studio Main and is representing them. He is in agreement with the Mayor's letter. He applauds the open mindedness of the commission since it is hard to blend the new with the old. Studio Main would like to have discussion of new infill in the future.

Vice Chair Jeremiah Russell stated that if Studio Main was interested, the discussion needs to be soon. Mr. Stanley stated that they may be late to the table but if there was a strong opposition, it would have been expressed already. Studio Main has an ongoing discussion with Ethel Goodstein at the UofA Fayetteville.

Rhea Roberts, QQA, offered Curran Hall for public presentation of the Guidelines for additional public comments. They believe that they may be able to get additional public comment for the Guidelines.

Page Wilson believed that should have a record of our time in the structures. He believes that the guidelines stress replica lite. He stated he has read the latest version and it is all subjective. He commented that the new guidelines look eerily like the old guidelines. He would like to continue discussion in the future. He wants to postpone vote and continue the dialogue. He wants them to be not so subjective and open ended.

Staff will make typo changes to text but not substantive changes.

STAFF UPDATE:

October 10, 2016

QQA hosted an Open House was held at Curran Hall for guideline review. The Commission received favorable press from the event and two citizens attended.

Staff updated the guidelines and corrected multiple non-substantive comments from Catherine Barrier from AHPP and from Dale Pekar a homeowner in the district. Changes were also made on formatting, type fonts, etc. Not all of the proposed changes were made from the suggested list. Some are substantive and have not been changed, either they have already been approved by the Commission or the text has not been reviewed. The most substantive thing that has been changed since the last meeting is to align the definitions in the Residential Infill section, Commercial and Mixed Use Infill section and the Glossary with the definitions in the ordinance.

These two issues are outstanding and needs to be addressed before the Commission approves the changes. In section V, New Construction of Primary and Secondary Buildings, the comment on page 36 was that the word adjacent was used in two different ways. The majority of times the word is used as part of the phrase "adjacent buildings in the area of influence." This could refer to buildings that are within 150 feet but not necessarily those abutting the proposed building. There are three instances that use the word "adjacent" without the phrase "in the area of influence". In those contexts, it means the abutting building on the next parcel of land. Including the word adjacent in the phrase "adjacent buildings in the area of influence" could be construed as redundant whereas striking the word adjacent in the phrase would still relay the same meaning. Staff is proposing to strike the word adjacent when it appears in the phrase "adjacent buildings in the area of influence."

In section V, New Construction of Primary and Secondary Buildings, the comment on page 36 was validity of the statement. The highlighted text in the last paragraph is: “Although the district is characterized as having a wide variety of architectural styles and building types, within each block there is a consistency of proportion and rhythm.” There are blocks of consistent two story houses (900 block of Cumberland), and there are blocks of consistent one story houses (600 block of Ferry). Then there are blocks that have only one building on them (Kramer School). However, many blocks are a hodge-podge of building heights, setbacks, etc. that would affect the proportion and rhythm. Are the guidelines stating that each block has its own rhythm, whether regular or irregular? Staff proposes to change the text to read: “The district is characterized as having a wide variety of architectural styles and building types, within each block having varying degrees of consistency of proportion and rhythm.”

STAFF RECOMMENDATION:

October 10, 2016

Staff recommends approval of the guidelines as presented in the October 5, 2016 version.